



Commodity Specification

CHICKEN PARTS

MAY 2008



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I. GENERAL

A. Product Description

Chicken parts produced under this Specification will be packaged and packed in one or more of the following forms as specified in the contract:

Breast and Leg Quarters (221140) - Frozen chicken breast quarters and leg quarters.

Breast quarters and leg quarters must be produced from ready-to-cook broiler/fryer chickens that weigh 2.50 to 3.75 pounds (1.13 to 1.70 kg) without necks and giblets. The commodity must be packed in a minimum of four plastic-film bags and packed 40 pounds (18.14 kg) net weight in each fiberboard shipping container, with 1,000 containers per purchase unit totaling 40,000 pounds (18,144 kg).

Cut-up (221240) - Frozen cut-up chickens, 8 pieces, without necks and giblets. Cut-up chickens must be produced from ready-to-cook broiler/fryer chickens that weigh 2.50 to 3.75 pounds (1.13 to 1.70 kg) without necks and giblets. The commodity must be packed in a minimum of four plastic-film bags and packed 40 pounds (18.14 kg) net weight in each fiberboard shipping container, with 1,000 containers per purchase unit totaling 40,000 pounds (18,144 kg).

IF Cut-up (205140) - Individually frozen parts, prepared from cut-up chickens, 8 pieces, without necks and giblets. Cut-up chickens must be produced from ready-to-cook broiler/fryer chickens that weigh 2.50 to 3.75 pounds (1.13 to 1.70 kg) without necks and giblets. The commodity must be individually frozen, packaged in a minimum of four plastic-film bags, and packed 40 pounds (18.14 kg) net weight in each fiberboard shipping container, with 1,000 containers per purchase unit totaling 40,000 pounds (18,144 kg).

Drumsticks (221940) - Frozen chicken drumsticks. Drumsticks must weigh a minimum of 4.15 ounces (117.65 g) each, or be produced from ready-to-cook broiler/fryer chickens that weigh a minimum 3.70 pounds (1.68 kg) per whole carcass, without neck and giblets. The commodity must be packaged in a minimum of four plastic-film bags, and packed 40 pounds (18.14 kg) net weight in each fiberboard shipping container, with 1,000 containers per purchase unit totaling 40,000 pounds (18,144 kg).

Leg Quarters (222640) - Frozen chicken leg quarters. Leg quarters must weigh between 9 and 13 ounces (255.14 and 368.54 g) each or be produced from ready-to-cook broiler/fryer chickens that weigh 2.50 to 3.75 pounds (1.13 to 1.7 kg) per whole carcass, weighed without neck and giblets. The commodity must be packaged in a minimum of four plastic-film bags, and packed 40 pounds (18.14 kg) net weight in each fiberboard shipping container, with 1,000 shipping containers per purchase unit totaling 40,000 pounds (18,144 kg).

Thighs (222840) - Frozen chicken thighs with back portion. Thighs must weigh between 4.80 and 9.30 ounces (136.08 and 263.66 g) each, or be produced from ready-to-cook broiler/fryer chickens that weigh 2.50 to 5 pounds (1.13 to 2.27 kg) per whole carcass, weighed without neck and giblets. The commodity must be packaged in a minimum of four plastic-film bags and packed 40 pounds (18.14 kg) net weight in each fiberboard shipping container. A purchase unit will consist of 1,000 shipping containers totaling 40,000 pounds (18,144 kg).

B. Food Defense Requirements

Contractors and subcontractors participating in the commodity purchase program must have a documented and operational food defense plan that provides for the security of a plant's production processes and includes the storage and transportation of finished product after production. The plan shall address the following areas: (1) food defense plan management; (2) outside and inside security of the production and storage facilities; (3) slaughter and processing, including all raw material sources; (4) shipping and receiving; (5) storage; (6) water and ice supply; (7) mail handling; (8) personnel security; and (9) controlled access to production and storage areas. The food defense plan shall be made available to the Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) Auditor immediately upon request. Verification of the Food Defense Program at the processing, storage, and distribution facility will be conducted by the USDA/AMS Auditor.

C. Commodity Complaints

The contractor/producer must immediately report all complaints received on the commodity to the Contracting Officer.

D. Humane Handling

All poultry shall be humanely handled in accordance with all applicable Food Safety and Inspection Service (FSIS) regulations, directives, and notices.

II. COMMODITY SPECIFICATIONS

A. Basic Requirements

1. Date Processed. Ready-to-cook broiler/fryer chicken breast and leg quarters, cut-up chickens, individually frozen (IF) cut-up chickens, drumsticks, leg quarters, and chicken thighs with back portion (commodity) must not be processed and packaged more than 30 calendar days prior to the date of the contract.

2. Origin of Chickens. The commodity must be produced and processed from chickens which were produced, raised, and processed in the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Trust Territories of the Pacific Islands. If the contractor processes or handles chicken carcasses and parts originating from sources other than the United States, its territories or possessions, Puerto Rico, or the Trust Territories of the Pacific Islands, the contractor must have an acceptable identification and segregation plan for those chicken carcasses and parts to ensure they are not used in the commodities produced under this Specification. This plan must be made available to a representative of the Grading Branch, Poultry Programs, AMS, USDA (Grader), and the Contracting Officer or agent thereof upon request. The contractor must ensure that both the contractor and subcontractor(s) maintain records such as invoices, or production and inventory records evidencing product origin, and make such records available for review by the Grader or other Government official(s).

3. Inspection. Processing operations must comply with Poultry Products Inspection Regulations (9 CFR part 381) and be under the supervision of a representative of USDA/FSIS

(Inspector). Inspection for contract and Specification compliance will be in accordance with the Regulations Governing the Voluntary Grading of Poultry Products and Rabbit Products (7 CFR part 70) and the U.S. Classes, Standards, and Grades for Poultry (AMS 70.200 *et seq.*) under the supervision of a Grader. The Grader will be responsible for certification of compliance with the requirements of this Specification for chicken breast and leg quarters, cut-up chickens, IF cut-up chickens, drumsticks, leg quarters, and thighs with back portion; packaging and packing; freezing; labeling and marking; net weight; and checkloading.

4. FSIS Requirements. The commodity must be produced and processed in an FSIS federally inspected establishment, be accurately marked and/or labeled, and meet all FSIS regulatory requirements, including all microbiological testing requirements, currently in place.

5. USDA Sampling Option. USDA may select additional commodity for further inspection or may draw samples for laboratory analyses.

6. Chickens from Other Plants. Chilled chicken or chicken parts may be transferred or obtained from other processing plants, provided they have been processed, handled, and identified in accordance with and in compliance with this Specification as evidenced by USDA certification.

a. Type, class; U.S. grade, when applicable; date slaughtered; and USDA-assigned plant number must be shown on each shipping container.

b. The chilled chicken and chicken parts must be at an internal product temperature not higher than 40 °F (4.4 °C) and not lower than 26 °F (-3.3 °C) when shipped from the origin plant and received at the destination plant.

B. Commodities

1. Commodities - Summary Table.

	a. BREAST and LEG QUARTERS	b. CUT-UP	c. IF CUT-UP	d. DRUMSTICKS	e. LEG QUARTERS	f. THIGHS
Type:	Frozen	Frozen	Frozen	Frozen	Frozen	Frozen
Class:	Broiler/Fryer	Broiler/Fryer	Broiler/Fryer	Broiler/Fryer	Broiler /Fryer	Broiler /Fryer
Style:	Ready-to-Cook, Breast Quarters and Leg Quarters	Ready-to-Cook, Cut- up, 8-piece cut	Ready-to-Cook, Cut- up, 8-piece cut	Ready-to-Cook, Drumsticks	Ready-to-Cook, Leg Quarters	Ready-to-Cook, Thighs with back portion
Necks and Giblets:	Without neck and giblets	Without neck and giblets	Without neck and giblets	N/A	N/A	N/A
Weight Range:	From ready-to-cook, whole, which weigh 2.50 to 3.75 pounds (1.13 to 1.70 kg) without neck and giblets	From ready-to-cook, whole, which weigh 2.50 to 3.75 pounds (1.13 to 1.70 kg) without neck and giblets	From ready-to-cook, whole, which weigh 2.50 to 3.75 pounds (1.13 to 1.70 kg) without neck and giblets	Must weigh a minimum of 4.15 ounces (117.65 g) each, or be from ready-to-cook, whole, which weigh a minimum 3.70 pounds (1.68 kg) without neck and giblets	Must weigh between 9 and 13 ounces (255.14 and 368.54 g) each or be produced from ready-to-cook, whole, which weigh 2.50 to 3.75 pounds (1.13 to 1.70 kg) without neck and giblets	Must weigh between 4.80 and 9.30 ounces (136.08 and 263.66 g) each, or be produced from ready-to-cook, whole, which weigh 2.50 to 5 pounds (1.13 to 2.27 kg) without neck and giblets
U.S. Grade:	U.S. Grade A	U.S. Grade A	U.S. Grade A	U.S. Grade A for all factors, except U.S. Grade B quality for exposed flesh	U.S. Grade B or better	U.S. Grade A for all factors, except U.S. Grade B quality for exposed flesh

2. Class. Broiler/fryers must conform to the definition for the class in AMS part 70.201.

3. Styles. Individual parts of chickens must conform to the definitions and standards in AMS part 70.210.

a. Clips, tags, or bands must not be attached to the parts.

b. For breast quarters and eight-piece cut-up chicken commodities, the neck must be separated from its junction with the body of the carcass. Separation of all other parts must be accomplished at the joints or separation points described in AMS part 70.210. All cuts must be in a neat manner without mutilation of adjacent muscle and/or bone and without producing bone splinters. These cuts may be made by mechanical means.

c. Cut-up, eight-piece cut commodities. Whole chickens must be cut into eight pieces--two wings, two drumsticks, two breast quarters without wings (two breast halves with back portions), and two thighs with back portions.

4. U.S. Grade. Grading must be in accordance with 7 CFR part 70 and AMS 70.200 *et seq.* Grading must be under the supervision of a Grader using Poultry Programs'

Sample Plan Level 1 (SPL-1) for Grade A parts, and Sample Plan Level 2 (SPL-2) for Grade B parts.

5. Carcass Weight. For the production of breast and leg quarter and cut-up commodities, 10 carcasses will be randomly drawn, weighed for individual weight, and must comply with the following:

a. Breast and leg quarters and cut-up commodities. Each carcass in the sample must weigh between 2.50 and 3.75 pounds (1.13 and 1.70 kg), per ready-to-cook whole carcass, without necks and giblets.

b. Drumsticks, thighs, and leg quarters. Drumstick, thigh, and leg quarter commodities must comply with the requirements in II.B.6.

c. Weight determination. Compliance with individual carcass weight requirements will be made prior to cutting into the individual parts. The frequency of sampling will be according to Poultry Programs' SPL-2. If any sample does not comply with the weight requirements, the product the sample represents will be rejected.

6. Individual Weights. At the option of the contractor, the drumsticks, leg quarters, and thighs with back portion must be produced from or must weigh as follows:

a. Leg quarters. Leg quarters must be produced from chickens that weigh 2.50 to 3.75 pounds (1.13 to 1.70 kg), without necks and giblets, or the leg quarters must be sampled and weighed for individual weight.

(1) If the individual weight option is selected, a sample of 10 leg quarters will be randomly selected before packaging.

(2) Each leg quarter in a sample must weigh between 9 and 13 ounces (255.14 and 368.54 g).

b. Drumsticks. Drumsticks must be produced from chickens that weigh a minimum of 3.70 pounds (1.68 kg), or the drumsticks must be sampled and weighed for individual weight.

(1) If the individual weight option is selected, a sample of 10 drumsticks will be randomly drawn before packaging.

(2) Each drumstick in a sample must weigh not less than 4.15 ounces (117.65 grams).

c. Thighs. Thighs with back portion must be produced from chickens that weigh 2.50 to 5 pounds (1.13 to 2.27 kg), without necks and giblets, or the thighs must be sampled and weighed for individual weight.

(1) If the individual weight option is selected, a sample of 10 thighs will be randomly drawn before packaging.

(2) Each thigh in a sample must weigh between 4.80 and 9.30 ounces (136.08 and 263.66 g).

d. Compliance with individual part weight requirements will be made prior to packaging. The frequency of sampling will be according to Poultry Programs' SPL-2. If any sample does not comply with the weight requirements, the product the sample represents will be rejected.

7. Chilling.

a. Requirements. The commodity must be chilled, processed, packaged, packed, and placed in a freezer within 7 calendar days after the date of slaughter.

b. All commodities, except IF cut-up. Within the 7-day timeframe, the commodity must be placed in a freezer within 48 hours of packaging and packing. If the chilled commodity is not placed in a freezer immediately after packaging or packing, the commodity must be held at a room temperature not higher than 36 °F (2.2 °C) and not lower than 26 °F (-3.3 °C).

8. Organoleptic Requirements. The chilled commodity will be examined on a continuous basis for the following organoleptic requirements: Chilled commodity must be free of rancidity; free of fruity, sulfide-like, cardboardy, tallowy, oily, oxidized, metallic, chlorine, or other foreign or off-odors; free of foreign materials (e.g., glass, paper, rubber, metal, plastic etc.); must show no evidence of mishandling or deterioration; and must have a bright color with no evidence of dehydration or freezing and thawing. Any chicken or chicken parts sample that does not comply with the organoleptic requirements will be rejected for use under this Specification.

9. Tare for Ice Glazed Parts. When ice glazing methods are used for the IF cut-up chicken, the Grader will randomly weigh 10 parts according to established Poultry Program procedures for determining tare weight for ice glazed products. Both unglazed and glazed parts will be weighed to determine the tare weight.

10. Individual Freezing. The chilled parts for IF cut-up commodity must be individually frozen in an in-line freezing system so the individual parts do not stick together after they are packaged and packed in shipping containers. NOTE: Ice glazing methods are permitted. The determination of commodity for 72-hour freezing verification will be made as the commodity exits the in-line freezing system as follows:

a. Individually frozen commodity exiting an in-line freezing system with internal product temperatures higher than 0 °F (-17.8 °C) must be packaged and placed in a freezer. The internal product temperature must be lowered to 0 °F (-17.8 °C) or lower within 72 hours from the time the commodity enters the freezer.

b. Individually frozen commodity exiting an in-line freezing system with internal product temperatures 0 °F (-17.8 °C) or lower is in compliance with the 72-hour freezing requirement (in II.B.10.a.).

c. In all cases, the commodity must be placed in a freezer immediately after packaging.

C. Packaging and Packing

1. Materials. All packaging and packing materials must be clean and in new condition, must not impart objectionable odors or flavors to the commodity, must be safe (cannot adulterate product or be injurious to health) for use in contact with food products, and must be tamper-evident. Tamper-evident is defined as packaging and packing with one or more indicators or barriers to entry, which, if breached or missing, can reasonably be expected to provide visible evidence that tampering has occurred.

a. Plastic-film bags. Plastic-film bags must be a polyethylene film bag with a wall thickness of not less than 2 mil (0.002 inch), and must protect the commodity from dehydration, freezer burn, or quality deterioration during the conditions of use.

b. Shipping containers. Shipping containers must: (a) be good commercial fiberboard containers that are acceptable by common or other carrier for safe transport to point of destination; (b) be of such size to pack the commodity without slack filling or bulging; (c) withstand the stresses of handling, shipping, stacking, and storage; and (d) be closed by commercially acceptable methods and materials. Steel or wire straps must not be used for final closure. Staples must not be used for final closure of shipping containers. Adhesive or staples cannot be used to fasten the top portion of telescope-style containers to the bottom portion. Staples may be used to manufacture and to assemble the fiberboard shipping containers, provided the staples are fastened into the container and tightly clenched to eliminate sharp edges prior to packing the commodity into the shipping containers.

2. Packaging and Packing Requirements.

a. Chicken parts must be packaged: (1) in a minimum of four bags with approximately equal amounts in each bag; (2) in natural proportions, as applicable; and (3) packed to a net weight of 40 pounds (18.14 kg) per shipping container.

b. Plastic-film bags of chicken parts must be evenly distributed to facilitate separation without thawing.

(1) Bags must be sealed in a manner that will prevent leaking and protect the commodity from dehydration or freezer burn, and meet the tamper-evident requirements of this Specification.

(2) Metal wire ties, paper-coated wire ties, or staples must not be used for sealing plastic-film bags.

3. Packing Tolerances for Breast and Leg Quarters, and Cut-up Commodities. Chicken parts in any individual shipping container need not come from the same whole chicken. The number and kind of parts or pieces in each shipping container must be proportional both in number and kind to those found in a whole chicken.

a. Tolerances for individual containers. One shipping container will be drawn and

examined each sampling interval for compliance with the following packing tolerance criteria:

(1) Tolerance for breast and leg quarters. In a shipping container, the difference between the number of breast quarters and leg quarters must not be more than two.

(2) Tolerance for cut-up chicken commodities.

(a) Thigh pieces, drumsticks, and breast pieces. In a shipping container, the difference between the part having the least pieces and the part having the most pieces must not be more than four.

(b). Wings. Other chicken parts in approximately natural proportions may be substituted for wings. The wings must not exceed the number of pieces of the part (breast, thigh, or drumstick) in the shipping container having the greatest number of pieces. For example, if a shipping container of eight-piece, cut-up chicken contains 42 breast pieces, 38 thigh pieces, and 39 drumsticks, wings must not exceed 42 pieces.

(c) Example: A shipping container has 27 breast pieces, 31 thigh pieces, 30 drumsticks, and 32 wings. In this example, the thigh pieces, drumsticks, and breast pieces are within the permitted range of 4, but since the wings exceed the number of pieces of the other part with the greatest number of pieces in the shipping container (32 wings exceed 31 thigh pieces), the commodity does not meet tolerance requirements.

b. Reject criteria. If any sample (a shipping container of parts) does not meet the packing tolerance requirements, the shipping containers of parts the sample represents will be rejected.

D. Freezing

Chilled packaged or packed commodity must be frozen (internal product temperature lowered to 0 °F (-17.8 °C) or lower within 72 hours from the time of entering the freezer). When packaged or packed commodity is held at a room temperature below 26 °F (-3.3 °C), the commodity will be considered to be in a freezer and subject to the 72-hour freezing requirement which begins at the end of the shift the commodity enters the 26 °F (-3.3 °C) or lower facility.

III. LABELING

Commercial labeling (III.A. and III.F.-G.) or USDA labeling (III.B.-G.) must be used. When commercial or USDA labeling is selected, both the packages and shipping containers within a purchase unit must be labeled in that format. **THE CONTRACTOR MUST USE THE SAME LABEL FORMAT (EITHER COMMERCIAL OR USDA) WITHIN A PURCHASE UNIT.**

A. Commercial Labeling Requirements

Commercially labeled packages and shipping containers must be labeled in accordance with FSIS requirements. Labeling must be approved by FSIS prior to acceptance for use under this Specification.

1. Commercial Labels. Commercial labels must be the processor's own commercial label. Distributors' labels are not allowed.

2. Traceable Product. The processor must establish a product identification and record system that clearly links product by place and time of manufacture to specific USDA contracts and destinations. When the company uses the same commercial label for the product certified as complying with this Specification and commercial product, the identification system must differentiate between USDA and non-USDA products. An alpha numeric code may be used for information that is in addition to FSIS labeling requirements. The required product identification and record system, including codes, must be reviewed by USDA before production begins for the contract(s).

3. U.S. Grade. In addition to FSIS commercial labeling requirements, the USDA grademark for breast and leg quarters and cut-up commodities must be printed on shipping containers. If packages are commercially labeled, the USDA grademark must be printed on each package of breast and leg quarters and cut-up commodities.

B. USDA Labeling Requirements

When USDA labeling is used, any deviation from the USDA labeling requirements in this Specification must be approved by the Contracting Officer, in writing, prior to start of production. Labeling and marking of the product must be in accordance with this Specification. Labeling and marking information must be water-fast, non-smearing, of a contrasting color, clear, and readable.

C. USDA Labeled Packages

No labeling information is required on the packaging materials.

D. USDA Labeled Shipping Containers

1. Labeling and Marking Information.

a. Requirements. Labeling and marking information must be preprinted, stamped, stenciled on shipping containers; or printed on a self-adhesive label and applied to shipping containers. This information, in essentially the same layout, is provided in EXHIBITS 1 - 7.

b. USDA grade. The USDA grademark, for breast and leg quarters and cut-up commodities must be shown on the principal display panel of each shipping container.

c. Nutritional labeling. A nutritional label, indicating the nutrient content of the commodity, is required on the principal display panel of each shipping container of chicken and chicken parts. This nutritional facts information or “nutrition facts label” must comply with all labeling requirements of FSIS, and, in addition, include the declaration of trans fat consistent with FSIS policy. The nutrition facts information must be preprinted on the principal display panel of each shipping container; or printed on a self-adhesive label and applied to the principal display panel of each shipping container. The self-adhesive label must not cover or conflict with the labeling requirements of this Specification.

d. Ingredient labeling. Must comply with all labeling requirements of FSIS. In addition, must include the source declaration of allergens when the source is not identified in the names of ingredients from any of the eight major allergens categories.

e. Universal product bar code.

(1) A Universal Product Code (UPC), symbol and code, called Interleaved 2 of 5 (I 2/5), must appear on the principal display panel of each shipping container. The complete code, including the check digit, must be printed in machine-readable and human-readable form. The start and stop indicators will be included in the bar codes. Printing, readability, and scanability of the bar code must be in accordance with UPC guidelines published by Uniform Code Council, Inc., Princeton Pike Corporate Center, 1009 Lenox Drive, Suite 202, Lawrenceville, NJ 08648.

(2) The contractor will use the code furnished by USDA. USDA has acquired a unique manufacturer’s identification number for the commodity purchase programs and will use a unique item code number for each commodity purchased under this Specification. The contractors need not join Uniform Code Council, Inc.

(a) Breast and leg quarters. The 14-digit UPC code for shipping containers of breast and leg quarters is: 1 07 15001 01511 9

(b) Cut-up chicken. The 14-digit UPC code for shipping containers of cut-up chicken is: 1 07 15001 01515 7

(c) IF cut-up chicken. The 14-digit UPC code for shipping containers of individually frozen cut-up chicken is: 1 07 15001 01505 8

(d) Drumsticks. The 14-digit UPC code for shipping containers of drumsticks is: 1 07 15001 01508 9

(e) Leg quarters. The 14-digit UPC code for shipping containers of leg quarters is: 1 07 15001 01509 6

(f) Thighs. The 14-digit UPC code for shipping containers of thighs with back portion is: 1 07 15001 01513 3

(3) The UPC code must be placed in the lower right-hand corner of the “one end”

designated panel of each shipping container.

2. Recycle Symbol and Statement. The contractor shall place somewhere on the surface of each recyclable shipping container the recycle symbol shown in EXHIBIT 8. The statement "PLEASE RECYCLE" is to be placed under the symbol. The recycle symbol and statement must be legibly printed in permanent ink.

3. Inventory Control Label. The processor may use a self-adhesive label to place any additional information (including bar codes) for processor inventory control purposes. This label may be applied somewhere on the surface of the shipping container. The label must not cover or conflict with the labeling requirements of this Specification.

E. Use of Previously Printed USDA Labeling Materials

Carryover inventories of existing supplies of printed packing materials (USDA Labeling) from the Commodity Specifications for Chicken Parts dated May 2007 may be used. Shipping containers or labels with incorrect: (1) contract number, (2) plant number, (4) date packed, (5) nutrition facts information label, or (6) universal product code(s) must be corrected before they are used. The incorrect information must be blocked out and the correct information legibly printed, stenciled, or stamped in permanent ink. Incorrect USDA grade information on shipping containers and labels must be blocked out. Additionally, the name, address, and phone number of the processor must appear on each shipping container.

F. Additional Labeling Issues. The following are not acceptable for use under this Specification:

- Commercial labels that do not have a processor traceability system and code.
- Commercial labeling traceability coding and systems that have not been reviewed by a representative of Poultry Programs, Grading Branch.
- Distributor commercial labels.
- Two or more different commercial labels in the same purchase unit.
- Commercial labels and USDA labels in the same purchase unit.

G. F.A.S. Vessel Deliveries

F.A.S. vessel deliveries that are not source loaded in a seavan are required to show the final destination's overseas address as provided in the Notice to Deliver. The address must be clearly printed on at least two sides of each pallet.

IV. FINAL EXAMINATION OF PACKAGED AND PACKED COMMODITY

A. Material and Net Weight Compliance

1. Verification of Materials and Defects.

a. Verification of packaging and packing materials. The contractor must verify compliance with packaging, packing, and marking material requirements by furnishing the Grader the following certification on company stationery signed by a person authorized to do so by the contractor:

“(I)(We), certify that the packaging, packing, and marking materials used for any commodity presented for acceptance under the terms of the Commodity Specification for Chicken Parts dated May 2008, comply or will comply with the terms of this Commodity Specification.

Name _____

Title _____”

One certification is adequate for all production under this Specification.

b. Packaging defects. Packages in a delivery unit will be examined for defects that affect protection, expose product, or permit dehydration or freezer burn, or quality deterioration during storage, such as tears, holes, or improperly sealed or closed packaging.

c. Packing defects. Shipping containers in a delivery unit will be examined for condition, labeling, and marking defects according to the United States Standards for Condition of Food Containers.

d. Tolerance for defects. If samples of packaged commodity or shipping containers in a delivery unit have more defects than the maximum tolerance for the applicable Poultry Programs’ sample plan, the delivery unit will be rejected.

2. Net Weight.

a. A purchase unit or delivery unit will total 40,000 pounds (18,144 kg) net, or multiples thereof.

b. Each delivery unit, except as provided in IV.A.2.f., will be examined for compliance with the net weight requirements at time of checkloading.

c. The tare weight of all packing materials will be determined by weighing a representative sample of all packaging components such as plastic-film bags, clips, and fiberboard containers.

d. Twelve (12) shipping containers will be selected at random from a delivery unit to determine net weight. The total net weight of the 12 shipping containers must be equal to or greater than 480 pounds (217.72 kg).

(1) If the total net weight is less than 480 pounds (217.72 kg), but greater than or equal to 475.20 pounds (215.55 kg), the delivery unit with the following average net weight per container will be accepted at the corresponding discount:

(Average Test Net Weight Per Container)

	: But Not	: Contract
<u>Less Than</u>	: <u>Less Than</u>	: <u>Price Discount</u>
40.0 pounds (18.14 kg)	: 39.6 pounds (17.96 kg)	: 1.0%
39.6 pounds (17.96 kg)	: --	: Unacceptable

Payments will be made on the actual quantity delivered. All price adjustments will be based on a delivery unit.

(2) If the total net weight is less than 475.20 pounds (215.55 kg), the delivery unit will be rejected.

e. A rejected delivery unit may be reworked and reoffered one time only. However, if an individual shipping container in the sample of the reworked delivery unit has a net weight of less than 39.60 pounds (17.96 kg), the delivery unit will be rejected.

f. As an alternative to test weighing at time of checkloading, the contractor may request on-line verification of net weights. Upon receiving the request, a Federal-State supervisor, Grading Branch, Poultry Programs (or their designee), will determine that the facilities and procedures are in accordance with applicable Poultry Programs' instructions for this Specification.

B. Prerequisites for Loading and Shipping Frozen Commodity

1. Visual Inspection. Frozen chicken parts must be a uniform light and bright color. Moisture (ice) present in frozen commodity must not exceed occasional small areas of clear, pinkish- or reddish-colored ice. Frozen commodity showing any evidence of purge beyond the tolerance; or defrosting, refreezing, or freezer deterioration will be rejected for use under this Specification.

2. Internal Product Temperature.

a. Requirements. Internal product temperature of frozen commodity must be 2 °F (-16.7 °C) or lower at time of loading. Delivery units with internal product temperatures exceeding 2 °F (-16.7 °C) and up to 5 °F (-15 °C) will be tentatively rejected. Tentatively rejected delivery units may be returned to the freezer and the temperature reduced to 2 °F (-16.7 °C) or lower and reoffered one time only. Delivery units exceeding 5 °F (-15 °C) or delivery units that have been tentatively rejected and exceed 2 °F (-16.7 °C) when reoffered will be rejected for use under this Specification.

b. Optional temperature verification. As an option to verifying internal product temperature at time of loading, the contractor may request an alternate method utilizing product temperature sensing devices. If this option is selected, a Federal-State supervisor will determine that the facilities, equipment, procedures, and the contractors' current level of freezing compliance are in accordance with the established guidelines outlined in the applicable Poultry Programs' instructions for this Specification.

C. Inspection and Checkloading

1. Requirements. Inspection for contract compliance will be made by a USDA representative, in accordance with 7 CFR part 70, FSIS regulations, and this Specification, at the site of processing, both during and after processing and packaging. A USDA representative may select samples for laboratory analyses or inspect the commodity at any point in transit and after delivery to point of destination. Inspection records must be complete and made available to USDA, as requested, to assure contract compliance.

2. Procedures. The inspection and checkloading must be performed by a Grader. Procedures to be followed, and a schedule of fees for these services may be obtained by contacting the nearest Grading Branch field office, or the Chief of Grading Branch, Poultry Programs, AMS, USDA, Room 3938-S, STOP 0258, 1400 Independence Avenue, SW, Washington, D.C. 20250-0258, telephone (202) 720-3271. The quality, quantity, weight, packaging, packing, and checkloading of the commodity must be evidenced by certificates issued by the Grader. The contractor must not ship the commodity unless informed by the Grader that the designated commodity to be shipped meets contract specifications.

V. UNITIZATION

Each delivery unit of commodity must be unitized (palletized and stretch-wrapped) and comply with the following:

A. Pallets

Pallets must be good quality, wood, 48 inches x 40 inches, nonreversible, flush stringer, and partial four-way entry. Each pallet of shipping containers must be stretch-wrapped with plastic film in a manner that will secure each container and layer of containers on the pallet. Palletized product must be loaded in a way that will prevent shifting and damage to the containers of product. Pallet loads shall be stacked in a manner that minimizes the overhang of the shipping containers over the edges of the pallets and exposes the principle shipping container display panels to facilitate certification examinations.

B. Pallet Exchange

Contractors may arrange for pallet exchange with consignees; however, USDA is not responsible for such arrangements.

VI. SHIPMENT AND DELIVERY

Shipment and delivery must be made in accordance with this Specification, the applicable Announcement and Invitation. In addition, the contractor must adhere to the following provisions:

A. Contract Compliance Stamp

Each shipping container must be identified with a USDA Contract Compliance stamp with the applicable certificate number. A Grader, or other authorized personnel under the supervision of the Grader, will stamp one end of each shipping container prior to shipment. If there is

inadequate space available on either end of the shipping container, the stamp may be applied to a side of the container.

B. Grading Certificate

A copy of the original USDA Poultry Grading Certificate issued at time of checkloading must accompany each shipment.

1. Railcar or Piggyback. If shipment is by rail or piggyback, the certificate must be placed in the railcar or trailer for easy access to the Grader, warehouseman, or consignee, as applicable.

2. Trucks. If shipment by truck, the driver must, upon delivery, give the certificate to the Grader, warehouseman, or consignee, as applicable.

C. Loading and Sealing of Vehicles

Loading must be in accordance with good commercial practices and the sealing must be done at origin under the supervision of a certification agent. Thereafter, all delivery units--truck lot and less-than-truck lot (LTL) quantities--must be secured at all times prior to unloading with tamper resistant, serially numbered, high security seals. Suppliers of commodities, products and/or services shall be responsible for placing a seal(s) on all doors of each transportation conveyance upon completion of loading or servicing. Seals shall be serially numbered, barrier-type and meet the American Society for Testing and Materials (ASTM) standards (F-1157-04). Seals shall be $\frac{1}{8}$ th inch diameter cable, high security bolt, or equivalent. The contractor must maintain a record of each seal number used per truck lot and LTL delivery unit. Additionally, the contractor must ensure that the applicable seal identification number is on each bill of lading, shipment manifest, certificate, or other delivery documents for each delivery destination.

When LTL delivery units are transported on the same trailer and destined for multiple recipients, the trailer must be sealed after each delivery. The seal number must be recorded on the appropriate delivery documents and correspond with the applied seal at the time of arrival at the next destination. It will be the responsibility of the contractor to provide a sufficient number of seals to the carrier service and to ensure that the trailer is sealed after each delivery destination. Failure to seal the trailer after each stop may result in rejection of the shipment by the recipient agency at the next scheduled stop and rejection of any subsequent deliveries on the trailer.

1. Railcar. Each railcar must be sealed. The contractors are responsible for arranging for railcar deliveries of more than one delivery unit so that each delivery unit contained in the same railcar can be completely separated and sealed.

2. Truck or Piggyback. Truck or piggyback shipments must be sealed at origin. A delivery unit shipped by truck or piggyback which includes split deliveries to multiple destinations will require sealing after each drop in accordance with Section VI.C of this Specification.

D. Delivery Notification

The contractor must follow the instructions in the Notice to Deliver issued by the Kansas City Commodity Office (KCCO) concerning delivery notification. Such notification and information of impending delivery are vital in proper execution of delivery. The contractor must notify the State distributing agency and the consignee of shipment per instructions in the Notice to Deliver. For rail or piggyback shipments, notification shall be made on the day of shipment. For truck shipments, notification of the estimated arrival time should be made as far in advance of delivery as possible. In addition, for truck or piggyback shipments, the contractor must request and keep scheduled appointment(s). Unloading appointments for truck or piggyback shipments must be requested from the consignee contact party(ies) at least 24 hours in advance of delivery.

1. In-Plant Deliveries. When in-plant delivery is made, the contractor must notify the appropriate resident Grader and furnish applicable information.

2. Delivery In Storage. Delivery may be made in storage provided the destination in the Notice to Deliver and the place the contractor has the commodity in storage are the same. Inspection and certification by a Grader are also required for transfers in store.

E. Split Deliveries

The contractor is responsible to deliver the quantity stated on each Notice to Deliver to each destination. Contractors must provide to the Grader, at time of shipment, the number of boxes and pounds for each destination.

At the option of the contractor, a purchase unit with two or more Notices to Deliver (split deliveries) for multiple destinations may be delivered on separate trucks provided each truck ships the total quantity stated on the Notice to Deliver. Any additional costs will accrue to the contractor's account.

VII. DESTINATION EXAMINATION

The cost of a destination examination, before or after delivery, by a Grader on acceptable product will be for the account of USDA. Costs for destination examination of rejected delivery units will be for the account of the contractor. The origin Grader will make arrangements for destination examinations prior to delivery.

A. Commodity Requirements

Before acceptance by consignee, the commodity may be examined by a Grader on a spot check basis for temperature, condition, identity, and, when applicable, count. The commodity may be examined for conformance to contract provisions at any time required by the Contracting Officer.

B. Temperature

The commodity must arrive at destination at an average internal product temperature not to exceed 10 °F (-12.2 °C), with no individual temperature exceeding 15 °F (-9.4 °C). Commodity not meeting these requirements will be rejected for use under this Specification.

Rex A. Barnes
Deputy Administrator
Poultry Programs

Attachments

EXHIBIT 1 **USDA Labeled Shipping Containers**

Marking Information: Shipping containers may be marked substantially as shown below. Detailed USDA labeling information is provided in Exhibits 2 - 7. Markings must be legibly preprinted, stamped, stenciled, or printed on a separate self-adhesive label and applied to containers. The USDA symbol, copy on back of Specification, is to be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the top panel or the principal display panel. The processor's name, address, and phone number must be printed on the top panel or the principal display panel. The processor's name and address must indicate the individual processing plant, the company headquarters, or the company address and phone number that handles product complaints.

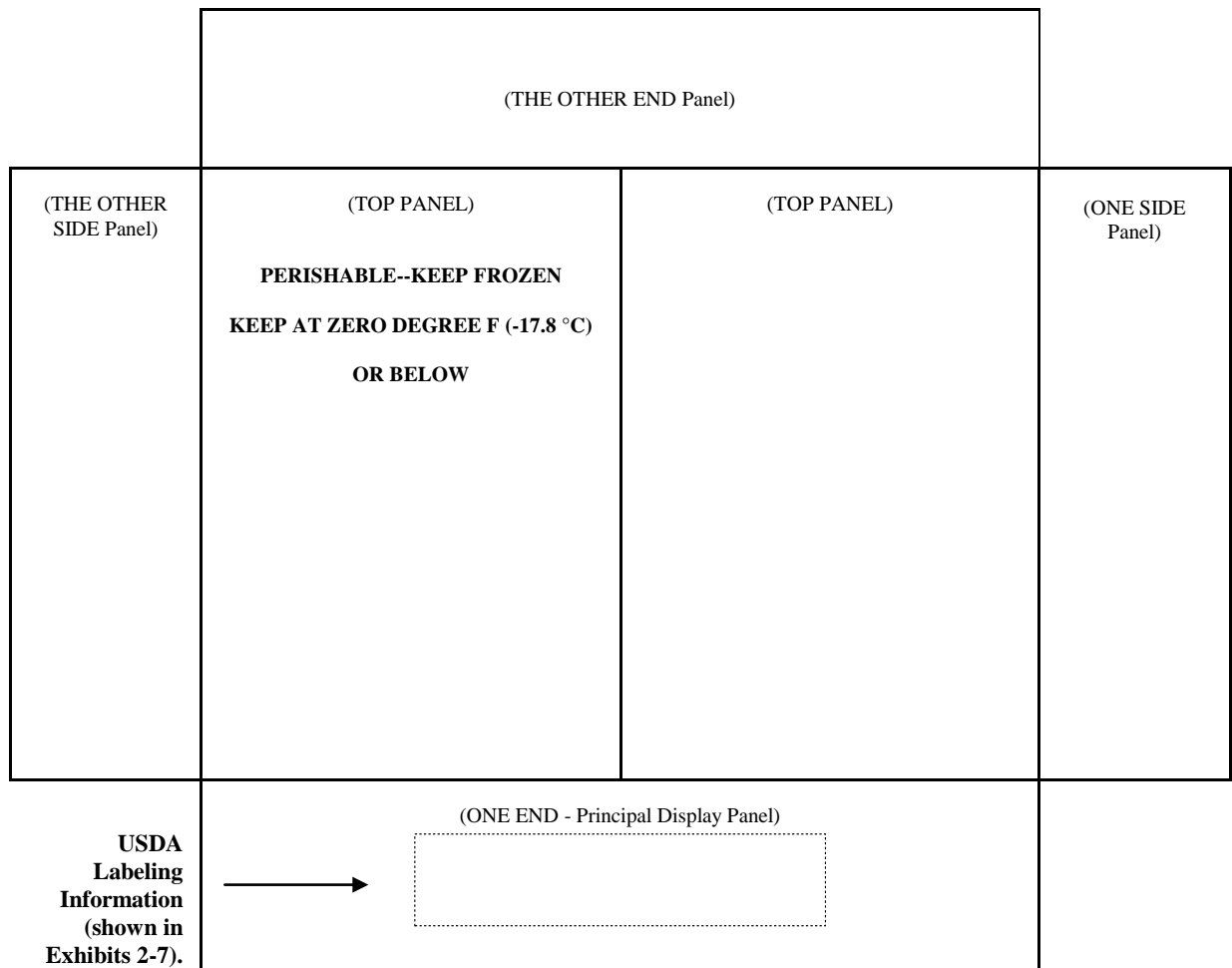


EXHIBIT 2

USDA Label Information for Chicken Breast Quarters and Leg Quarters

Marking Information: USDA labeling information must be printed on the principal display panel of each shipping container as provided in Exhibit 1. Markings must be legibly preprinted, stamped, stenciled on containers, or printed on a separate self-adhesive label and applied to containers. The applicable UPC 14-digit I 2/5 code (1 07 15001 01511 9), symbol and code, must be shown in the lower right-hand corner of the principal display panel. The safe handling instructions must be shown. The USDA symbol, copy on back of Specification, must be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the top panel or the principal display panel. The processor's name, address, and phone number must be printed on the top panel or the principal display panel. The processor's name and address must indicate the individual processing plant, the company headquarters, or the company address and phone number that handles product complaints.



FROZEN BROILER/FRYER CHICKEN BREAST QUARTERS AND LEG QUARTERS

Processor's
Name, Address, and Phone

Nutrition Facts Label
May Be Placed Here

Safe Handling Instructions
May Be Placed Here

KEEP FROZEN

Net Weight 40 LBS. (18.14 KG)

CONTRACT NO. _____
DATE PACKED Month, Day, and Year

UPC Symbol and Code

EXHIBIT 3
USDA Label Information for Cut-Up Chickens

Marking Information: USDA labeling information must be printed on the principal display panel of each shipping container as provided in Exhibit 1. Markings must be legibly preprinted, stamped, stenciled on containers, or printed on a separate self-adhesive label and applied to containers. The UPC 14-digit I 2/5 code (1 07 15001 01515 7), symbol and code, must be shown in the lower right-hand corner of the principal display panel. The safe handling instructions must be shown. The USDA symbol, copy on back of Specification, must be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the top panel or the principal display panel. The processor's name, address, and phone number must be printed on the top panel or the principal display panel. The processor's name and address must indicate the individual processing plant, the company headquarters, or the company address and phone number that handles product complaints.



FROZEN CUT-UP
BROILER/FRYER CHICKENS
Without Neck and Giblets

Processor's
Name, Address, and Phone

Nutrition Facts Label
May Be Placed Here

Safe Handling Instructions
May Be Placed Here

KEEP FROZEN

Net Weight 40 LBS. (18.14 KG)

CONTRACT NO. _____
DATE PACKED Month, Day, and Year

UPC Symbol and Code

EXHIBIT 4

USDA Label Information for Individually Frozen Cut-Up Chickens

Marking Information: USDA labeling information must be printed on the principal display panel of each shipping container as provided in Exhibit 1. Markings must be legibly preprinted, stamped, stenciled on containers, or printed on a separate self-adhesive label and applied to containers. The UPC 14-digit I 2/5 code (1 07 15001 01505 8), symbol and code, must be shown in the lower right-hand corner of the principal display panel. The safe handling instructions must be shown. The USDA symbol, copy on back of Specification, must be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the top panel or the principal display panel. The processor's name, address, and phone number must be printed on the top panel or the principal display panel. The processor's name and address must indicate the individual processing plant, the company headquarters, or the company address and phone number that handles product complaints.



INDIVIDUALLY FROZEN CUT-UP BROILER/FRYER CHICKENS Without Neck and Giblets

Processor's
Name, Address, and Phone

Nutrition Facts Label
May Be Placed Here

Safe Handling Instructions
May Be Placed Here

KEEP FROZEN

Net Weight 40 LBS. (18.14 KG)

CONTRACT NO. _____
DATE PACKED Month, Day, and Year

UPC Symbol and Code

EXHIBIT 5
USDA Label Information for Chicken Drumsticks

Marking Information: USDA labeling information must be printed on the principal display panel of each shipping container as provided in Exhibit 1. Markings must be legibly preprinted, stamped, stenciled on containers, or printed on a separate self-adhesive label and applied to containers. The UPC 14-digit I 2/5 code (1 07 15001 01508 9), symbol and code, must be shown in the lower right-hand corner of the principal display panel. The safe handling instructions must be shown. The USDA symbol, copy on back of Specification, must be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the top panel or the principal display panel. The processor's name, address, and phone number must be printed on the top panel or the principal display panel. The processor's name and address must indicate the individual processing plant, the company headquarters, or the company address and phone number that handles product complaints.



**FROZEN BROILER/FRYER
CHICKEN DRUMSTICKS**

Processor's
Name, Address, and Phone

Nutrition Facts Label
May Be Placed Here

Safe Handling Instructions
May Be Placed Here

KEEP FROZEN

Net Weight 40 LBS. (18.14 KG)

CONTRACT NO. _____
DATE PACKED Month, Day, and Year

UPC Symbol and Code

EXHIBIT 6
USDA Label Information for Chicken Leg Quarters

Marking Information: USDA labeling information must be printed on the principal display panel of each shipping container as provided in Exhibit 1. Markings must be legibly preprinted, stamped, stenciled on containers, or printed on a separate self-adhesive label and applied to containers. The UPC 14-digit I 2/5 code (1 07 15001 01509 6), symbol and code, must be shown in the lower right-hand corner of the principal display panel. The safe handling instructions must be shown. The USDA symbol, copy on back of Specification, must be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the top panel or the principal display panel. The processor's name, address, and phone number must be printed on the top panel or the principal display panel. The processor's name and address must indicate the individual processing plant, the company headquarters, or the company address and phone number that handles product complaints.



**FROZEN BROILER/FRYER
CHICKEN LEG QUARTERS**

Processor's
Name, Address, and Phone

Nutrition Facts Label
May Be Placed Here

Safe Handling Instructions
May Be Placed Here

KEEP FROZEN

Net Weight 40 LBS. (18.14 KG)

CONTRACT NO. _____
DATE PACKED Month, Day, and Year

UPC Symbol and Code

EXHIBIT 7
USDA Label Information for Chicken Thighs

Marking Information: USDA labeling information must be printed on the principal display panel of each shipping container as provided in Exhibit 1. Markings must be legibly preprinted, stamped, stenciled on containers, or printed on a separate self-adhesive label and applied to containers. The UPC 14-digit I 2/5 code (1 07 15001 01513 3), symbol and code, must be shown in the lower right-hand corner of the principal display panel. The safe handling instructions must be shown. The USDA symbol, copy on back of Specification, must be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the top panel or the principal display panel. The processor's name, address, and phone number must be printed on the top panel or the principal display panel. The processor's name and address must indicate the individual processing plant, the company headquarters, or the company address and phone number that handles product complaints.



FROZEN BROILER/FRYER
CHICKEN THIGHS WITH BACK PORTION

Processor's
Name, Address, and Phone

Nutrition Facts Label
May Be Placed Here

Safe Handling Instructions
May Be Placed Here

KEEP FROZEN

Net Weight 40 LBS. (18.14 KG)

CONTRACT NO. _____
DATE PACKED Month, Day, and Year

UPC Symbol and Code

EXHIBIT 8
“Please Recycle” Symbol and Statement



**PLEASE
RECYCLE**

USDA SYMBOL

